

**Retired Decisions**  
**Decisions from the First Meeting of the Conference of the parties to the Convention on Biological Diversity**

**Decision I/2 – Financial resources and mechanism**  
(paras. 4-8 retired)

The Conference of the Parties

4. Authorizes the Secretariat, on behalf of the Conference of the Parties (COP) and taking account of the views of participants in the first meeting of the Conference of the Parties, which should be provided in writing by 1 February 1995, to consult with the restructured Global Environment Facility on the content of a memorandum of understanding which should be formally considered at the second meeting of the Conference of the Parties;

5. Decides, pending the adoption of the memorandum of understanding, to adopt the interim guidelines for monitoring and evaluation of the utilization of financial resources by the restructured Global Environment Facility contained in annex III to this decision;

6. Requests the Secretariat to present to the Conference of the Parties at its second meeting, a report on the financial mechanism, in order that decisions can be adopted by the Conference of the Parties at its second meeting, on the timetable and nature of the review required in Article 21, paragraph 3 of the Convention;

7. Requests also the Secretariat to present to the Conference of the Parties at its second meeting, a study on the availability of financial resources additional to those provided through the restructured Global Environment Facility, and on the ways and means for mobilizing and channeling these resources in support of the objectives of the Convention, taking into account the views expressed by participants on the subject at the Conference of the Parties at its first meeting;

8. Further requests the Secretariat to include items on the agenda of the Conference of the Parties at its second meeting, which would enable the latter to review the financial resources and, bearing in mind Article 39 of the Convention, to take a decision at that meeting on which institutional structure shall be designated in accordance with Article 21 of the Convention.

**Decision I/3 – Clearing-House Mechanism for technical and scientific cooperation**  
(paras. 2-4 retired)

The Conference of the Parties

2. Decides also that the activities of the clearing-house mechanism to promote and facilitate technical and scientific cooperation should be funded from the regular budget of the Secretariat as well as from voluntary contributions, subject to decisions to be taken by the Conference of the Parties at its second meeting, in the light of the study referred to in paragraph 3 of the present decision;

3. Requests the Secretariat to prepare, and report back to the Conference of the Parties at its second meeting on, a comprehensive study, according to Article 18 of the Convention, containing concrete costed recommendations to assist the Conference of the Parties in the

establishment of the clearing-house mechanism to promote and facilitate technical and scientific cooperation, taking fully into account the views expressed at its first meeting and submitted to the Secretariat in writing before the end of February 1995, as well as the need to draw on all relevant existing institutional structures;

4. Decides also to include an item on this issue on the agenda of the second meeting of the Conference of the Parties.

**Decision I/4 – Selection of a competent international organization to carry out the functions of the Secretariat of the Convention**  
(paras. 2-3 retired)

The Conference of the Parties

2. Decides that the functions of the Secretariat shall be carried out by the Secretariat that was provided for under Article 40 of the Convention, until such time as the staff of the Secretariat have been appointed;

3. Requests the Executive Director of the United Nations Environment Programme to select the Executive Secretary of the Secretariat for the Convention in consultation with the Bureau of the Conference of the Parties.

**Decision I/5 – Support to the Secretariat by international organizations**  
(para. 1 retired)

The Conference of the Parties

1. Welcomes the willingness demonstrated by international organizations to support and cooperate with the Secretariat for the effective discharge of its functions, and in particular the concrete offers made by the Food and Agriculture Organization of the United Nations and the United Nations Educational, Scientific and Cultural Organization, including by secondment of staff;

**Decision I/6 – Financing of and budget for the Convention**  
(paras. 3-9 (part I) and all part II retired)

The Conference of the Parties

3. Decides that the Trust Fund shall be established for an initial period of two years, beginning on 1 January 1995 and ending on 31 December 1996;

4. Adopts the budget for 1995, which is attached as annex II to this decision;

5. Urges all the Parties to pay promptly their contributions to the Trust Fund, based on the scale set forth in the appendix to the budget;

6. Requests the Parties and States not Parties to the Convention, as well as governmental, intergovernmental and non-governmental organizations and other sources, to contribute to the Trust Fund;

7. Requests the Executive Director of the United Nations Environment Programme to ensure, by advances, that the 1995 budget of the Convention is financed until such time as sufficient contributions have been paid in 1995 to allow for the functioning of the Secretariat;

8. Takes note of the indicative budget for 1996, also attached as annex II to this decision, and directs the Secretariat to prepare an indicative budget that would provide for implementing the remainder of the medium-term programme of work;

9. Directs the Secretariat to consider carefully all offers of support from other organizations and to cooperate with them with a view to making the most effective use of the competencies and resources available.

## **Part II**

### The Conference of the Parties

1. Adopts for 1995 the scale for contributions contained in the Appendix to the budget (annex II), based on the United Nations scale of assessments for the apportionment of the expenses of the United Nations adjusted to provide that no one contribution shall exceed 25 per cent of the total and that no contribution from a least developed country Party shall exceed 0.01 per cent of the total. The contribution referred to in paragraph 3 (a) of the Financial Rules shall be due 1 January 1995;

2. Being aware that a comprehensive review of all aspects of scale methodology is to be presented to the General Assembly of the United Nations at its fiftieth session, requests the Secretariat to make it available, as well as information related to scale methodology in other international organizations and information provided by Governments to assist the second meeting of the Conference of the Parties in its consideration of this matter;

3. Decides to transfer to the next meeting of the Conference of the Parties, for further consideration, paragraph 4 of the Financial Rules contained in annex I of the present decision;

4. Also decides to transmit paragraph 16 of the Financial Rules to the second meeting of the Conference of the Parties for further consideration;

5. Decides that at its second meeting it will agree upon and adopt a Financial Rule governing the determination of the scale, taking account of paragraphs 2 and 3 above, and a Financial Rule governing decision-making under the Financial Rules, taking into account paragraph 4 above.

## **Decision I/7 – Subsidiary Body on Scientific, Technical and Technological Advice (paras.1 (d), 2, 4 (and annex) retired**

### The Conference of the Parties

1. Decides:

d) That, at its first ordinary meeting, SBSTTA shall consider its modus operandi, taking fully into account all views expressed on this matter at the first meeting of the Conference of the Parties and submitted to the Secretariat in writing by the end of February 1995, as well as the need to draw on relevant existing institutional structures;

2. Requests SBSTTA to prepare a proposal for a medium-term programme of work based on the priorities set in the programme of work of the Conference of the Parties and on Article 25 and submit it to the Conference of the Parties at its second meeting;

4. Decides further that the first meeting of SBSTTA shall be held at the headquarters of UNESCO in Paris from 4 to 8 September 1995 to consider the attached provisional agenda.

## **Annex**

### **FIRST MEETING OF THE SUBSIDIARY BODY ON SCIENTIFIC, TECHNICAL AND TECHNOLOGICAL ADVICE (SBSTTA)**

#### Draft provisional agenda

1. Opening of the meeting.
2. Organizational matters:
  - 2.1 Election of officers;
  - 2.2 Adoption of the agenda;
  - 2.3 Organization of work.
3. Matters related to the modus operandi of SBSTTA.
4. Programme of work of SBSTTA for 1995-1997.
5. Matters on which advice from SBSTTA is required by the second meeting of the Conference of the Parties.
  - 5.1 Provision of scientific and technical assessments of the status of biological diversity (Article 25, paragraph 2(a));
    - 5.1.1 Alternative ways and means in which the Conference of the Parties could start the process of considering the components of biological diversity particularly those under threat and the identification of action which could be taken under the Convention (priority item);
  - 5.2 Preparation of scientific and technical assessments of the effects of types of measures taken in accordance with the provisions of the Convention (Article 25, paragraph 2(b));
  - 5.3 Identification of innovative, efficient and state-of-the-art technologies and know-how relating to the conservation and sustainable use of biological diversity and provision of advice on the ways and means of promoting development and/or transferring such technologies (Article 25, paragraph 2(c));
    - 5.3.1 Ways and means to promote and facilitate access to, and transfer and development of technologies as envisaged in Articles 16 and 18 of the Convention (priority item);
  - 5.4 Provision of advice on scientific programmes and international cooperation in research and development related to conservation and sustainable use of biological diversity (Article 25, paragraph 2(d));
  - 5.5 Scientific, technical, technological and methodological questions that the Conference of the Parties and its subsidiary bodies may put to the body (Article 25, paragraph 2(e));
    - 5.5.1 What kind of scientific and technical information should be contained in national reports on measures taken for the implementation of the provisions of the Convention and their effectiveness in meeting the objectives of the Convention? (priority item);
    - 5.5.2 How can the Convention on Biological Diversity contribute to the preparation for the forthcoming International Technical Conference on the

Conservation and Utilization of Plant Genetic Resources for Food and Agriculture in 1996?

5.5.3 Provision of advice on the scientific, technical and technological aspects of the conservation and sustainable use of coastal and marine biological diversity (also taking into account the other provisions in Article 25, paragraph 2) (priority item).

6. Draft provisional agenda of the second meeting of SBSTTA.
7. Date and venue of the second meeting.
8. Other matters.
9. Adoption of the report.
10. Closure of the meeting.

## **Decision I/9 – Medium-term programme of work of the Conference of the Parties (retired)**

### The Conference of the Parties

1. Decides to adopt the medium-term programme of work for the period 1995 to 1997 contained in the annex to the present decision;
2. Also decides to review at its next meeting the medium-term programme of work in light of the progress achieved in the implementation of the Convention. Taking into account that the Parties share the deep concern and interest about the need for the safe transfer, handling and use of all living modified organisms resulting from biotechnology to avoid adverse effects on the conservation and sustainable use of biological diversity,
3. Also decides to establish an open-ended ad hoc group of experts nominated by Governments without undue delay to consider the need for and modalities of a protocol setting out appropriate procedures, including, in particular, advance informed agreement, in the field of the safe transfer, handling and use of any living modified organism resulting from biotechnology that may have adverse effect on the conservation and sustainable use of biological diversity;
4. Also decides that the open-ended ad hoc group of experts nominated by Governments shall hold one meeting of one week's duration during 1995 with a view to presenting its report to the Conference of the Parties.
5. Decides that the open-ended group of experts nominated by Governments will consider, as appropriate, existing knowledge, experience and legislation in the field of biosafety, including the views of the Parties, subregional, regional and international organizations, with a view to presenting a report for the consideration of the second meeting of the Conference of the Parties, so as to enable the Conference of the Parties to reach an informed decision as to the need for and modalities of a protocol.
6. Requests the Secretariat to submit to the open-ended ad hoc group of experts nominated by Governments relevant information on these matters in sufficient time to facilitate the discussions of the open-ended ad hoc group of experts.
7. Decides that, in order to prepare for the work of the open-ended ad hoc group of experts nominated by Governments, the Secretariat shall establish a panel of 15 experts nominated by Governments, with an equitable geographical representation, in consultation with the Bureau of the COP, assisted by UNIDO, UNEP, FAO and WHO, to prepare a background document to

be submitted to the open-ended ad hoc group of experts nominated by Governments based on a consideration, as appropriate, of existing knowledge and experience on risk assessment and management, and guidelines and/or legislation already prepared by the Parties, other Governments and by national and competent subregional, regional and international organizations.

8. Calls upon the international community, particularly the developed countries and non-governmental sectors, to contribute voluntary funds to assist the open-ended ad hoc group of experts nominated by Governments to discharge its mandate effectively.

## **Annex**

### **MEDIUM-TERM PROGRAMME OF WORK OF THE CONFERENCE OF THE PARTIES 1995-1997**

1. The medium-term programme of work will be constructed on the basis of standing and rolling issues.

2. Standing items will include inter alia:

2.1 Matters relating to the financial mechanism, including report from the interim institutional structure entrusted with its operation;

2.2 Report from the Secretariat on the administration of the Convention and budget for the Secretariat;

2.3 Report from, instructions to and consideration of recommendations from the Subsidiary Body on Scientific, Technical and Technological Advice (SBSTTA);

2.4 Reports by Parties on implementation of the Convention;

2.5 Report on, assessment and review of the operation of the clearing-house mechanism;

2.6 Relationship of the Convention on Biological Diversity with the Commission on Sustainable Development and biodiversity related conventions, other international agreements, institutions and processes of relevance.

3. The other issues and derived activities necessary to implement the Convention should be treated on a year-by-year agenda, on the understanding that these relevant rotating issues will be developed and continually treated in accordance with the decisions of the Conference of the Parties by the SBSTTA and any eventual working groups appointed by the Conference of the Parties. The year-by-year agenda has to be flexible.

4. Treatment of the Work Programme items should also reflect the importance of capacity-building as one of the elements of successful Convention implementation. The Work Programme should always reflect a balance among the Convention's objectives as set forth in Article 1.

5. In 1995, the second meeting of the Conference of the Parties may consider, inter alia, the following items\*\*:

5.1 General measures for conservation and sustainable use

5.1.1 To provide information and share experiences on the implementation of Article 6.

5.2 Conservation of biological diversity

5.2.1 Preliminary consideration of components of biological diversity particularly under threat and action which could be taken under the Convention;

5.2.2 To provide information and share experiences on measures for implementing Article 8.

5.3 Conservation and sustainable use of coastal and marine biological diversity

5.3.1 To consider coastal and marine biological diversity within the context of the Convention's three objectives and its provisions.

5.4 Access to genetic resources

5.4.1 To compile existing legislation, administrative and policy information on access to genetic resources and the equitable sharing of benefits derived from their use;

5.4.2 To compile information provided by Governments as well as relevant reports from appropriate international organizations regarding policy, legislative, or administrative measures related to intellectual property rights as provided in Article 16 of the Convention and to access to and transfer of technology that makes use of genetic resources.

5.5 Issues relating to technology

5.5.1 To consider ways to promote and facilitate access to and transfer and development of technology, as envisaged by Articles 16 and 18 of the Convention.

5.6 Handling of biotechnology

5.6.1 To consider the need for and modalities of a protocol for safe handling and transfer of living modified organisms.

5.7 Report on the financial mechanism

5.7.1 Consideration of the study prepared by the Secretariat on the availability of financial resources additional to those provided through the restructured Global Environment Facility (GEF), and on the ways and means for mobilizing and channelling these resources in support of the objectives of the Convention taking into account the views expressed by participants on the subject at the Conference of the Parties at its first meeting.

5.8 Reports by Parties

5.8.1 To provide the form for reporting;

5.8.2 To decide on intervals for reporting.

5.9 Relationship with the FAO Global System for Plant Genetic Resources for Food and Agriculture

5.9.1 To be informed and to be able to consider progress made revising the International Undertaking on Plant Genetic Resources for Food and Agriculture in order to consider its consistency with the objectives and provisions of the Convention and implementation of Resolution 3 of the Nairobi Final Act;

5.9.2 To be informed about and to be able to consider the preparation for the forthcoming International Technical Conference on the Conservation and Utilization of Plant Genetic Resources for Food and Agriculture in 1996;

5.9.3 To be informed about developments with regard to ex situ collections of plant genetic resources.

6. In 1996, the third meeting of the Conference of the Parties may consider, inter alia, the following items:

6.1 General measures for conservation and sustainable use;

6.2 Identification, monitoring and assessment

6.2.1 To consider options for implementing Article 7;

6.2.2 Appraisal of SBSTTA's review of assessment of biological diversity for the

- implementation of Article 25(2)(a) and advice on methodologies for future assessments;
- 6.3 Conservation and sustainable use of agricultural biological diversity
  - 6.3.1 To consider agricultural biological diversity within the context of the Convention's three objectives and its provisions;
- 6.4 Consideration of the future programme of work for terrestrial biological diversity in the light of the outcome of deliberations of the third session of the Commission on Sustainable Development in 1995;
- 6.5 Knowledge, innovations and practices of indigenous and local communities;
  - 6.5.1 Implementation of Article 8(j);
- 6.6 Access to genetic resources
  - 6.6.1 To compile the views of Parties on possible options for developing national legislative, administrative or policy measures, as appropriate, to implement Article 15.
- 6.7 Issues related to technology
  - 6.7.1 To consider ways to promote and facilitate access to and transfer and development of technology, as envisaged by Articles 16 and 18 of the Convention.
- 6.8 Incentive measures
  - 6.8.1 To consider options for implementing Article 11.
- 6.9 Special session of the General Assembly to review implementation of Agenda 21
  - 6.9.1 To consider possible inputs from the perspective of the Convention's three objectives.
- 7. In 1997, the fourth meeting of the Conference of the Parties may consider, inter alia, the following items:
  - 7.1 Review of medium-term programme of work (1995-1997)
    - 7.1.1 To undertake an overall review and consider a longer term work programme;
  - 7.2 Models and mechanisms for linkages between in situ and ex situ conservation;
  - 7.3 Measures for implementing the Convention
    - 7.3.1 To provide information and share experiences on the implementation of Article 13;
    - 7.3.2 To provide information and share experiences on the implementation of Article 14;
  - 7.4 Consideration of matters related to benefit sharing
    - 7.4.1 To consider measures to promote and advance the distribution of benefits from biotechnology in accordance with Article 19;
  - 7.5 Technical and scientific cooperation.

## **Decision I/10 – Location of the Secretariat (retired)**

The Conference of the Parties

1. Decides to consider and take a decision on the location of the Secretariat at its second meeting;

2. Decides to invite Parties interested in hosting the Secretariat to submit their offers to the Secretariat by 31 March 1995;

3. Decides to invite those Parties to include in their offers, to the extent possible, details relating to inter alia:

(a) Facilities to be made available, including offices, meeting rooms and conference facilities;

(b) Availability of institutional support, including programmes of relevance to the Convention, academic programmes and representation of Parties through diplomatic offices;

(c) Direct support, including financial and technical support;

(d) Privileges and immunities to be extended to the Secretariat and its staff, including the nature of the headquarters agreement or other arrangement to be established with the Secretariat and diplomatic privileges for Secretariat staff and families;

(e) State of civic amenities, including health and education facilities.

4. Decides to request the Secretariat to transmit all offers to the Parties, as an official document of the second meeting of the Conference of the Parties, by 31 May 1995;

5. Decides that the second meeting of the Conference of the Parties will not be held in a country making an offer to host the Secretariat;

6. Decides that, at its second meeting, it will make every effort to reach a decision on the location of the Secretariat by consensus. Recognizing the requirement of paragraph 1 of this decision, and, in the event consensus is not possible and, at the time of voting, rule 40, paragraph 1 of the rules of procedure has not been adopted, will for this item:

(a) Take a decision by a two-thirds majority of the Parties present and voting; and

(b) If a two-thirds majority does not emerge for any one offer after the first round of voting, successive rounds will be taken, the offer receiving the least votes being eliminated after each round, until only two offers remain and one receives a two-thirds majority vote of the Parties present and voting.

## **Decision I/11 – Preparation for the second meeting of the Conference of the Parties (retired)**

### The Conference of the Parties

Requests the Secretariat to assist in the organization of regional and sub-regional meetings for the preparation of the second meeting of the Conference of the Parties;

Invites the developed countries and the international organizations to make voluntary contributions to fund such regional and sub-regional meetings and to facilitate the participation of the developing countries, and in particular the least developed amongst them, in such meetings as well as in the meetings convened under the Convention.

**Decision I/13 – Tribute to the Government of the  
Commonwealth of the Bahamas**  
(retired)

The Conference of the Parties

Having met in Nassau from 28 November to 9 December 1994, at the gracious invitation of the Government of the Commonwealth of the Bahamas,

Deeply appreciative of the special courtesy and the warm hospitality extended by the Government and people of the Bahamas to the Ministers, members of the delegations, observers and members of the Secretariat attending the Conference,

Expresses its sincere gratitude to the Government of the Commonwealth of the Bahamas and to its people for the cordial welcome which they accorded to the Conference and to those associated with its work and for their contribution to the success of the Conference.

## **Decisions from the Second Meeting of the Conference of the parties to the Convention on Biological Diversity**

### **Decision II/1 – REPORT OF THE FIRST MEETING OF THE SUBSIDIARY BODY ON SCIENTIFIC, TECHNICAL AND TECHNOLOGICAL ADVICE**

(paras. 1, 2 and 4-6 retired)

#### The Conference of the Parties,

1. Takes note of the report of the first meeting of the Subsidiary Body on Scientific, Technical and Technological Advice, held at the headquarters of the United Nations Educational, Scientific and Cultural Organization in Paris from 4 to 8 September 1995, contained in document UNEP/CBD/COP/2/5;
2. Endorses recommendation I/1 on the modus operandi of the Subsidiary Body on Scientific, Technical and Technological Advice;
4. Endorses also recommendation I/6 on the global biodiversity outlook and decides that the outlook should be financed through voluntary contributions;
5. Calls upon the international community to make contributions for the preparation and publication of the first global biodiversity outlook, to be issued in 1997;
6. Further requests the second meeting of the Subsidiary Body on Scientific, Technical and Technological Advice, in considering its programme of work for 1996, to ensure that the programme is based on the priorities set in the programme of work of the Conference of the Parties for 1996 and 1997, as contained in decision II/18, and specific requests to the Subsidiary Body on Scientific, Technical and Technological Advice, contained in other decisions of the second meeting of the Conference of the Parties.

### **Decision II/2 – PUBLICATION AND DISTRIBUTION OF SCIENTIFIC AND TECHNICAL INFORMATION** (retired)

#### The Conference of the Parties,

Noting the importance of scientific and technical work being undertaken by other international and intergovernmental organizations to the medium-term programme of work;

Aware that such inputs have already contributed to advancing the work of the Subsidiary Body on Scientific, Technical and Technological Advice;

Requests the Executive Secretary, in consultation with the Bureau of the Subsidiary Body, to identify and mobilize, for publication and distribution, scientific and technical information of relevance to the medium-term programme of work, recognizing the limitations of the budget.

## **Decision II/3 – CLEARING-HOUSE MECHANISM** (paras. 1, 4 (a), 5, 6, 10 and 11 retired)

The Conference of the Parties,

1. Takes note of the document prepared by the Secretariat on the establishment of the clearing-house mechanism to promote and facilitate technical and scientific cooperation (document UNEP/CBD/COP/2/6);

4. Decides, as a contribution to the implementation of the objectives of the Convention, that the clearing-house mechanism, established by decision I/3 adopted at its first meeting in accordance with Article 18, paragraph 3 of the Convention, should be developed:

(a) Starting with a pilot phase for 1996-1997;

5. Decides also that, during the pilot phase for 1996-1997, the Secretariat should act as a focal point and should:

(a) Encourage the development of a network of active partners, such as those specified in 4(h). These partners should focus initially on:

(i) developing national capabilities through exchanging and disseminating information on the experiences and lessons learned by Parties on the implementation of the Convention. This can be done through guidelines, training programmes, seminars, workshops, where appropriate, and upon request, and by using the clearing-house mechanism;

(ii) facilitating access to and dissemination of research relevant to the objectives of the Convention;

(iii) facilitating the transfer of technology through exchanging and disseminating information on experiences and technologies relevant to the conservation and sustainable use of biological diversity;

(b) Provide information on and facilitate access to these operating active partners;

(c) Support the active partners to develop specific training for the effective participation of users in the clearing-house network;

6. (a) Decides also to provide funding for the pilot phase through the budget of the Convention;

(b) Calls also upon the international community to make additional voluntary contributions for the implementation of the pilot phase;

10. Decides to review the implementation of the pilot phase of the clearing-house mechanism at its third meeting and requests the Executive Secretary to submit a progress report;

11. Decides also to review the implementation of the pilot phase at its fourth meeting and requests the Subsidiary Body on Scientific, Technical and Technological Advice to provide scientific and technical advice.

**Decision II/4 – WAYS AND MEANS TO PROMOTE AND FACILITATE ACCESS TO, AND TRANSFER AND DEVELOPMENT OF TECHNOLOGY**

(paras. 2, 4 retired)

The Conference of the Parties,

2. Endorses paragraph 1(d) of recommendation I/4, requesting the Executive Secretary to prepare, for consideration by the Subsidiary Body on Scientific, Technical and Technological Advice at its second meeting, a substantive and well-focused background document, taking into account the views expressed by States Parties and observers during the first meeting of the Subsidiary Body on Scientific, Technical and Technological Advice, the first and second meetings of the Conference of the Parties, including those decisions related to the clearing-house mechanism, and the deliberations of the first and second sessions of the Intergovernmental Committee on the Convention on Biological Diversity, and of the open-ended Intergovernmental Meeting of Scientific Experts on Biological Diversity, held in Mexico in April 1994, including its annexed UNEP Expert Panel Reports I to IV. Such a background document should consider the importance of biotechnology to the conservation and sustainable use of biological diversity, especially to developing countries, as well as the enabling roles of capacity-building and the provision of adequate financial resources;

4. Requests the second meeting of the Subsidiary Body on Scientific, Technical and Technological Advice to submit a detailed report to the third meeting of the Conference of the Parties.

**Decision II/5 – CONSIDERATION OF THE NEED FOR AND MODALITIES OF A PROTOCOL FOR THE SAFE TRANSFER, HANDLING AND USE OF LIVING MODIFIED ORGANISMS**  
(retired)

The Conference of the Parties,

Recalling Article 19, paragraph 3, of the Convention on Biological Diversity,

Recognizing the link between paragraphs 3 and 4 of Article 19,

Recognizing also the link between Articles 8(g) and 19, paragraph 3,

Recalling its decision I/9 made at its first meeting, held in Nassau, Bahamas, from 28 November to 9 December 1994,

Having considered the report and recommendations prepared for its second meeting by the Open-ended Ad Hoc Group of Experts on Biosafety, which met in Madrid from 24-28 July 1995,

Recognizing that modern biotechnology has great potential for human well-being if developed and used with adequate safety measures for the environment and human health,

Recognizing also that, although considerable knowledge has accumulated, significant gaps in knowledge have been identified, specifically in the field of interaction between living modified

organisms (LMOs) resulting from modern biotechnology and the environment, taking into account the relatively short period of experience with releases of such organisms, the relatively small number of species and traits used, and the lack of experience in the range of environments, specifically those in centres of origin and genetic diversity,

Noting that there is a need for further analysis of existing national, regional and international regulations and legally binding instruments of relevance to the impact of LMOs on the conservation and sustainable use of biological diversity,

Affirming that international action on biosafety should offer an efficient and effective framework for the development of international cooperation aimed at ensuring safety in biotechnology through effective risk assessment and risk management for the transfer, handling and use of any LMO resulting from modern biotechnology that may have adverse environmental impacts that could affect the conservation and sustainable use of biological diversity, taking into account the risks to human health, and taking also into account Articles 8(g) and 19, paragraph 4, of the Convention,

Considering that, although there are existing international agreements of relevance to the impact of LMOs resulting from modern biotechnology that may have adverse effect on the conservation and sustainable use of biological diversity, none of these specifically address the transboundary movements of such LMOs, and therefore there is an urgent need to give attention to this issue,

Taking into account that the large majority of delegations present at the meeting of the Open-ended Ad Hoc Group of Experts on Biosafety favoured the development, within the context of an international framework for safety in biotechnology, of a protocol on biosafety under the Convention on Biological Diversity,

Stressing the importance of the urgent finalization of the United Nations Environment Programme International Technical Guidelines on Safety in Biotechnology and that this could contribute to the development and implementation of a protocol on biosafety, but noting that this does not prejudice the development and conclusion of such a protocol,

Noting that guidelines on biosafety, including the proposed United Nations Environment Programme International Technical Guidelines on Safety in Biotechnology, may be used as an interim mechanism during the development of the protocol and to complement it after its completion, for the purposes of facilitating the development of national capacities to assess and manage risks, establish adequate information systems and develop expert human resources in biotechnology,

1. Decides to seek solution to the above-mentioned concerns through a negotiation process to develop, in the field of the safe transfer, handling and use of living modified organisms, a protocol on biosafety, specifically focusing on transboundary movement, of any living modified organism resulting from modern biotechnology that may have adverse effect on the conservation and sustainable use of biological diversity, setting out for consideration, in particular, appropriate procedure for advance informed agreement;
2. Decides to establish an Open-ended Ad Hoc Working Group under the Conference of the Parties which shall operate in accordance with the terms of reference in the annex to this decision;
3. Requests the Executive Secretary of the Convention to make the necessary arrangements for the Open-ended Ad Hoc Working Group to meet as soon as possible, at least once before the next meeting of the Conference of the Parties.

## **Annex to decision II/5**

### **TERMS OF REFERENCE FOR THE OPEN-ENDED AD HOC WORKING GROUP**

1. The Open-ended Ad Hoc Working Group should be composed of representatives, including experts, nominated by Governments and regional economic integration organizations.
2. The Open-ended Ad hoc Working Group shall, in accordance with operative paragraph 1 of the present decision:
  - (a) elaborate, as a priority, the modalities and elements of a protocol based on appropriate elements from Sections I, II and III, paragraph 18 (a), of Annex I of the report of the Open-ended Ad Hoc Group of Experts on Biosafety;
  - (b) consider the inclusion of the elements from Section III, paragraph 18 (b), and other elements, as appropriate;
3. The development of the draft protocol shall, as a priority:
  - (a) elaborate the key concepts and terms that are to be addressed in the process; include consideration of the form and scope of advance informed agreement procedures;
  - identify relevant categories of LMOs resulting from modern biotechnology.
4. The protocol will have to reflect that its effective functioning requires that Parties establish or maintain national measures, but the absence of such national measures should not prejudice the development, implementation and scope of the protocol.
5. The protocol will take into account the principles enshrined in the Rio Declaration on Environment and Development and, in particular, the precautionary approach contained in Principle 15 and will:
  - (a) not exceed the scope of the Convention;
  - (b) not override or duplicate any other international legal instrument in this area;
  - (c) provide for a review mechanism;
  - (d) be efficient and effective and seek to minimize unnecessary negative impacts on biotechnology research and development and not to hinder unduly access to and transfer of technology.
6. The provisions of the Convention will apply to the protocol.
7. The process will take into full account the gaps in the existing legal framework identified through analysis of existing national and international legislation.
8. The process shall be guided by the need for all Parties to cooperate in good faith and to participate fully, with a view to the largest possible number of Parties to the Convention ratifying the protocol.
9. The process will be carried out on the basis of the best available scientific knowledge and experience, as well as other relevant information.
10. The process of developing a protocol should be conducted as a matter of urgency by an open-ended ad hoc group, which will report on progress to each subsequent meeting of the Conference of the Parties. The Open-ended Ad Hoc Working Group should endeavour to complete its work in 1998.

### **Decision II/6 – FINANCIAL RESOURCES AND MECHANISM (paras. 3,4,7 and 12 retired)**

#### The Conference of the Parties,

3. Requests the Executive Secretary to further develop guidelines of the review for consideration and decision by the Conference of the Parties at its third meeting, taking into account comments made by participants at its second meeting and/or provided by Parties in writing to the Secretariat not later than the end of February 1996;

4. Takes note of the draft "Memorandum of Understanding Between the Conference of the Parties to the Convention on Biological Diversity and the Council of the Global Environment Facility Regarding the Institutional Structure Operating the Financial Mechanism of the Convention", jointly prepared by the Secretariats of the Convention and the restructured Global Environment Facility, and requests the Secretariat of the Convention to continue consultations on the draft Memorandum of Understanding, in order to ensure that comments by Parties are reflected, and to submit a revised draft Memorandum of Understanding for consideration and decision by the Conference of the Parties at its third meeting;

7. Takes note of the recently adopted revised project cycle and the Operational Strategy which are anticipated to contribute to more timely approval and implementation of projects, and further requests the Global Environment Facility to take any additional appropriate steps to expedite the project preparation and approval process with a view to implementing fully the guidance of the Conference of the Parties contained in Annex I to decision I/2 on financial resources and mechanism entitled "Policy, strategy, programme priorities and eligibility criteria for access to and utilization of financial resources" (UNEP/CBD/COP/1/17);

12. Requests the Executive Secretary to present a report to the Conference of the Parties at its third meeting on the implementation of the present decision.

## **Decision II/7 – CONSIDERATION OF ARTICLES 6 AND 8 OF THE CONVENTION** (para. 7 retired)

The Conference of the Parties,

7. Also requests the Executive Secretary to present to it a report on the implementation of this decision for consideration at its third meeting.

## **Decision II/8 – PRELIMINARY CONSIDERATION OF COMPONENTS OF BIOLOGICAL DIVERSITY PARTICULARLY UNDER THREAT AND ACTION WHICH COULD BE TAKEN UNDER THE CONVENTION** (paras. 6 and 7 retired)

The Conference of the Parties,

6.(i) Encourages Parties, as part of their first national report which will focus particularly on Article 6, to identify priority issues specifically related to those components of biological diversity under threat, based upon paragraphs 1, 2, 4 and 5 of recommendation I/3 of the report of the first meeting of the Subsidiary Body on Scientific, Technical and Technological Advice to the second meeting of the Conference of the Parties;

(ii) Requests the Executive Secretary to prepare a paper which identifies issues of common concern in the context of examining the national reports;

(iii) Directs the Subsidiary Body on Scientific, Technical and Technological Advice to consider the findings of the Executive Secretary's paper and to identify possible options for actions to be considered by the Conference of the Parties;

7. Further requests the Subsidiary Body at its second meeting to address the issue of the lack of taxonomists, who would be needed for the national implementation of the Convention, and to advise the Conference of the Parties at its third meeting on ways and means to overcome this problem, taking into account existing studies and ongoing initiatives while adopting a more practical direction of taxonomy linked to bio-prospecting and ecological research on conservation and sustainable use of biological diversity and its components.

## **Decision II/9 – FORESTS AND BIOLOGICAL DIVERSITY** (paras. 1, 2(b) and 4 retired)

### The Conference of the Parties,

1. Decides to invite its President to transmit the Statement contained in the annex to this decision to the Intergovernmental Panel on Forests at its second meeting;

2. Requests the Executive Secretary:

(b) To commission and carry out work on forests and biological diversity, with a view to producing a background document on the links between forests and biological diversity in order to consider, at its third meeting, whether further input to the Intergovernmental Panel on Forests is required, and to transmit this document to the Intergovernmental Panel on Forests for information;

4. Invites the Secretariat of the Intergovernmental Panel on Forests to communicate progress on issues relevant to forests and biological diversity to the third meeting of the Conference of the Parties.

## **Decision II/10 – CONSERVATION AND SUSTAINABLE USE OF MARINE AND COASTAL BIOLOGICAL DIVERSITY** (paras. 7, 9, 10 and 14 retired)

### The Conference of the Parties,

7. Instructs the Executive Secretary to provide, in accordance with Annex II, the Subsidiary Body on Scientific, Technical and Technological Advice with scientific, technical, and technological advice and options for recommendations to the Conference of the Parties in further elaborating the recommendations contained in recommendation I/8, with the exception of paragraphs 3 and 4;

9. Welcomes the offer from Indonesia to be host country for the first such meeting of Experts on Marine and Coastal Biological Diversity;

10. Decides to forward this decision and its annexes to the next session of the Commission on Sustainable Development for its information when considering its review of Agenda 21, chapter 17, on oceans;

14. Decides to request the Subsidiary Body on Scientific, Technical and Technological Advice to carry out a summary review at its next meeting of the first report from the Executive Secretary and to submit in its report to the Conference of the Parties its recommendation on the work of the Executive Secretary.

## **Decision II/11 – ACCESS TO GENETIC RESOURCES** (para. 1(a) retired)

The Conference of the Parties,

1. Requests the Executive Secretary to:

(a) Further elaborate the survey of measures taken by Governments to implement Article 15, including any national interpretations of key terms used in that article, with a view to completing the survey in time for circulation at the third meeting of the Conference of the Parties;

## **Decision II/12 – INTELLECTUAL PROPERTY RIGHTS** (paras. (a) and (c) retired)

The Conference of the Parties,

(a) Liaise with the Secretariat of the World Trade Organization to inform it of the goals and the ongoing work of the Convention on Biological Diversity and to invite the Secretariat of the World Trade Organization to assist in the preparation of a paper for the Conference of the Parties that identifies the synergies and relationship between the objectives of the Convention on Biological Diversity and the TRIPs Agreement. This paper could be the basis for consideration by the third meeting of the Conference of the Parties in preparing a possible input for negotiations that are taking place in the Committee on Trade and Environment of the World Trade Organization;

(c) Undertake a preliminary study which analyses the impact of intellectual property rights systems on the conservation and sustainable use of biological diversity and the equitable sharing of benefits derived from its use in order to gain a better understanding of the implications of Article 16(5). The study may focus on: (i) exploring the relationship between intellectual property rights and the preservation and maintenance of traditional knowledge and practices of indigenous and local communities and the possible role of intellectual property rights in encouraging the equitable sharing of benefits arising from the use of such knowledge and practices; and (ii) inviting Governments and other relevant stakeholders to submit case studies that address the role of intellectual property rights in the technology transfer process, in particular the role of intellectual property rights in the transfer of biotechnology.

## **Decision II/13 – COOPERATION WITH OTHER BIODIVERSITY-RELATED CONVENTIONS** (paras. 1 and 5-7 retired)

The Conference of the Parties,

1. Takes note of the information note UNEP/CBD/COP/2/Inf.2 prepared by the Secretariat on cooperation with other biodiversity-related conventions;

5. Invites also the governing bodies of such conventions and other international legal instruments related to biological diversity to consider at their next meetings their possible contribution to the implementation of the goals and objectives of the Convention;

6. Further requests the Executive Secretary to prepare, for its third meeting, a report on the implementation of this decision, containing concrete recommendations aimed at promoting and strengthening institutional cooperation with other global and regional biodiversity-related conventions;

7. Requests the Executive Secretary also to report to the Conference of the Parties at its third meeting on modalities for enhanced cooperation with relevant international biodiversity-related bodies such as the Food and Agriculture Organization of the United Nations, the United Nations Educational, Scientific and Cultural Organization and the Commission on Sustainable Development, taking into account the medium-term programme of work on this issue.

**Decision II/14 – CONVENING OF AN OPEN-ENDED  
INTERGOVERNMENTAL WORKSHOP ON COOPERATION  
BETWEEN THE CONVENTION ON BIOLOGICAL DIVERSITY AND  
OTHER INTERNATIONAL CONVENTIONS ON RELATED ISSUES  
(retired)**

The Conference of the Parties,

Having examined Point 8.2 of UNEP/CBD/COP/2/1, related to the cooperation between the Convention on Biological Diversity and other related international conventions on related issues,

Noting that an identification and harmonization of the points in common within these conventions on biological diversity issues would help the Parties, especially the developing countries, to come up with an appropriate and integrated national legislation on biodiversity matters,

Noting also that cooperation among international conventions would help the Parties to exchange information through the clearing-house mechanism in the context of sharing of scientific and technical information,

1. Invites, subject to the availability of funds, the United Nations Environment Programme (UNEP), in accordance with its mandate established by chapter 38 of Agenda 21, to liaise with the Commission on Sustainable Development to organize an open-ended intergovernmental workshop on the study of the relationships between the Convention on Biological Diversity and other related international conventions on related issues, taking into consideration existing studies and the expertise available in nongovernmental organizations and relevant institutions;

2. Invites all international organizations or donor countries to contribute financially to the organization of the workshop.

**Decision II/15 – FAO GLOBAL SYSTEM FOR THE  
CONSERVATION AND UTILIZATION OF PLANT GENETIC  
RESOURCES FOR FOOD AND AGRICULTURE**  
(retired)

The Conference of the Parties,

Recognizing the special nature of agricultural biodiversity, its distinctive features and problems needing distinctive solutions,

Taking note of the Global System for the Conservation and Utilization of Plant Genetic Resources for Food and Agriculture developed by member countries of the Food and Agriculture Organization of the United Nations (FAO) through the FAO Commission on Plant Genetic Resources, and the recommendation for strengthening it expressed in chapter 14 of Agenda 21;

Recalling that Resolution 3 of the Nairobi Final Act of the Conference for the Adoption of the Agreed Text of the Convention on Biological Diversity recognized "the need to seek solutions to outstanding matters concerning plant genetic resources within the Global System for the Conservation and Use of Plant Genetic Resources for Food and Sustainable Agriculture, in particular (a) access to ex-situ collections not acquired in accordance with this Convention; and (b) the question of farmers' rights",

1. Considers that the outstanding matters should be resolved as soon as possible;
2. Declares its support for the process engaged in the FAO Commission on Plant Genetic Resources to comply with these recommendations, especially through:
  - (1) The implementation of FAO Conference Resolution 7/93 for the adaptation of the International Undertaking on Plant Genetic Resources, in harmony with the Convention of Biological Diversity;
  - (2) Convening the Fourth International Technical Conference on Plant Genetic Resources for Food and Agriculture through which two important elements of the Global System, the first State of the World report on Plant Genetic Resources for Food and Agriculture and the first Global Plan of Action for Plant Genetic Resources for Food and Agriculture, are being developed through a country-driven process.

**Decision II/16 – STATEMENT TO THE INTERNATIONAL  
TECHNICAL CONFERENCE ON THE CONSERVATION AND  
UTILIZATION OF PLANT GENETIC RESOURCES FOR FOOD AND  
AGRICULTURE**  
(retired)

1. Requests the Food and Agriculture Organization of the United Nations to present the outcome of the International Technical Conference on the Conservation and Utilization of Plant Genetic Resources for Food and Agriculture to the third meeting of the Conference of the Parties and to make the Global Plan of Action and State of the World reports available to that meeting;

2. Welcomes the offer of the Food and Agriculture Organization of the United Nations to link its information mechanisms to the clearing-house mechanism under the Convention;

3. Decides to invite its President to transmit the statement contained in the annex to this decision to the International Technical Conference on the Conservation and Utilization of Plant Genetic Resources for Food and Agriculture.

### **Annex to decision II/16**

#### **STATEMENT FROM THE CONFERENCE OF THE PARTIES TO THE CONVENTION ON BIOLOGICAL DIVERSITY TO THE INTERNATIONAL TECHNICAL CONFERENCE ON THE CONSERVATION AND UTILIZATION OF PLANT GENETIC RESOURCES FOR FOOD AND AGRICULTURE**

1. The planet's essential goods and services depend on the variety and variability of genes, species, populations and ecosystems. If humanity is to have a future on this Earth, biological diversity must be conserved so that these functions and services are maintained. The current decline in biodiversity is largely the result of human activity and represents a serious threat to human development. Despite efforts to conserve the world's biological diversity, its depletion has continued. The entry into force of the Convention provides an international framework through which to address this depletion which causes threats to ecosystems that are vital for the sustenance of human societies in all countries. By becoming Parties to the Convention, Governments have committed themselves to the conservation of biological diversity, the sustainable use of its components, and the fair and equitable sharing of the benefits arising out of the utilization of genetic resources.

2. The Convention on Biological Diversity advances the conservation of biological diversity and the sustainable use of its components and the fair and equitable sharing of the benefits arising out of the use of genetic resources, while recognizing the important role of other conventions to the objectives of the Convention.

3. The Conference of the Parties guides the implementation of the provisions of the Convention on Biological Diversity, reviews the further development of matters relating to the conservation of biological diversity, the sustainable use of its components, and the fair and equitable sharing of the benefits arising from the use of genetic resources and, where appropriate, brings these within the purview of the Convention.

4. Within the overarching framework established by the Convention on Biological Diversity, it is the case that there are many international forums through which the objectives of the Convention can be progressed. The Conference of the Parties urges all such forums to work together to achieve these objectives.

5. In this regard, the Conference of the Parties recognizes the substantial contribution that the Food and Agriculture Organization of the United Nations can make, applying its experience and skills to tackle the very important issues associated with genetic resources for food and agriculture.

6. It is important for us to recognize that there are very many Parties to the Convention that are also members of the Food and Agriculture Organization of the United Nations. This forms a strong basis of common ground from which the Convention and the Food and Agriculture Organization of the United Nations could build complementary programmes in the area of genetic resources for food and agriculture.

7. At its second meeting, held in Jakarta from 6 to 17 November 1995, the Conference of the Parties considered advice provided by its Subsidiary Body on Scientific, Technical and Technological Advice on the contribution of the Convention to the preparation for the forthcoming International Technical Conference on the Conservation and Utilization of Plant Genetic Resources for Food and Agriculture.

8. As a result of these considerations, the Conference of the Parties to the Convention on Biological Diversity wishes to draw to the attention of the fourth International Technical Conference on the Conservation and Utilization of Plant Genetic Resources for Food and Agriculture the following considerations:

- (a) The comprehensive nature and the multidisciplinary character of the Convention on Biological Diversity, aimed at addressing all facets of biological diversity within its threefold objectives: the conservation of biological diversity, the sustainable use of its components and the fair and equitable sharing of its benefits;
- (b) The importance attached by the Conference of the Parties to the conservation of plant genetic resources for food and agriculture and their use in a sustainable manner;
- (c) The recognition that plant genetic resources for food and agriculture are critical components of biological diversity;
- (d) In recognition of the need to assess the current situation of plant genetic resources for food and agriculture and identify gaps and needs for priority action, the Conference of the Parties welcomes the preparation of the Global Plan of Action and the State of the World's Genetic Resources for Food and Agriculture;
- (e) The need to strengthen capacity-building, in particular in developing countries;
- (f) The relevance of the issues to be considered by the fourth International Technical Conference on the Conservation and Utilization of Plant Genetic Resources for Food and Agriculture to the provisions of the Convention on Biological Diversity;
- (g) The Conference of the Parties' support for the recognition by the Food and Agriculture Organization of the United Nations of the need to make the processes of the fourth International Technical Conference on the Conservation and Utilization of Plant Genetic Resources for Food and Agriculture and the Convention on Biological Diversity mutually supportive and complementary, in harmony with the provisions of the Convention.
- (h) The sovereign rights of States over their natural resources.

9. Recalling the recommendations of Agenda 21, chapter 14(g) and of Resolution 3 of the Nairobi Final Act, the Conference of the Parties urges the International Technical Conference to make every effort to promote complementarity and consistency between the outcome of the Conference and the provisions of the Convention, making them mutually supportive and enhancing the success of both.

10. The Conference of the Parties compliments the Secretariat of the Food and Agriculture Organization of the United Nations responsible for the programme and processes for the fourth International Technical Conference on the Conservation and Sustainable Utilization of Plant Genetic Resources for Food and Agriculture on its exemplary preparatory process based upon national reports, regional and subregional meetings leading to a global assessment of biological diversity of unique ecosystems. The process provides an innovative model.

11. The Conference of the Parties to the Convention on Biological Diversity hopes that this statement will be helpful to the International Technical Conference on the Conservation and Utilization of Plant Genetic Resources for Food and Agriculture and plans to consider, at its third meeting, the outcome of the Conference.

**Decision II/17 – FORM AND INTERVALS OF NATIONAL  
REPORTS BY PARTIES**  
(paras. 4,5,9,11 retired)

The Conference of the Parties,

4. Decides that the first national reports will be due at the fourth meeting of the Conference of the Parties in 1997;
5. Decides that, at its fourth meeting in 1997, the Conference of the Parties will determine the intervals and form of subsequent national reports. This determination will be based on the experience of Parties in preparing their first national reports and taking into account the state of implementation of the Convention;
9. Requests the Executive Secretary to prepare a report based on the synthesis of information contained in national reports and other relevant information and containing also suggested next steps, for consideration by the Conference of the Parties;
11. Urges all Parties to submit their first national reports to the Secretariat no later than 30 June 1997 to allow consideration of this item by the Conference of the Parties at its fourth meeting;

**Decision II/18 – MEDIUM-TERM PROGRAMME OF WORK OF THE  
CONFERENCE OF THE PARTIES FOR 1996-1997  
(retired)**

The Conference of the Parties,

1. Decides to adopt the medium-term programme of work for the period 1996 to 1997 contained in the annex to the present decision;
2. Also decides to review at its next meeting the medium-term programme of work in light of the progress achieved in the implementation of the Convention;
3. Requests the Executive Secretary to prepare the draft provisional agenda of the third meeting of the Conference of the Parties, pursuant to rules 8 and 9 of the rules of procedure, and include therein all issues arising from its previous meetings and for which actions are required by the Conference of the Parties.

**Annex to decision II/18**

**MEDIUM-TERM PROGRAMME OF WORK OF THE CONFERENCE OF THE  
PARTIES 1996-1997**

1. The medium-term programme of work will be constructed on the basis of standing and rolling issues.
2. Standing items will include, *inter alia*:
  - 2.1 Matters relating to the financial mechanism, including a report from the interim institutional structure entrusted with its operation;
  - 2.2 Report from the Secretariat on the administration of the Convention and budget for the Secretariat;
  - 2.3 Report from, instructions to and consideration of recommendations from the Subsidiary Body on Scientific, Technical and Technological Advice (SBSTTA);
  - 2.4 Reports by Parties on implementation of the Convention;
  - 2.5 Report on assessment and review of the operation of the clearing-house mechanism;

2.6 Relationship of the Convention on Biological Diversity with the Commission on Sustainable Development and biodiversity-related conventions, other international agreements, institutions and processes of relevance.

3. The other issues and derived activities necessary to implement the Convention should be dealt with on a year-by-year agenda, on the understanding that these relevant rotating issues will be developed and continually dealt with in accordance with the decisions of the Conference of the Parties by the Subsidiary Body on Scientific, Technical and Technological Advice and any eventual working groups appointed by the Conference of the Parties. The year-by-year agenda has to be flexible.

4. Treatment of the items on the programme of work should also reflect the importance of capacity-building as one of the elements of successful Convention implementation. The programme of work should always reflect a balance among the Convention's objectives, as set forth in Article 1.

5. In 1996, the third meeting of the Conference of the Parties may continue to consider pending issues of the 1995 programme of work.

6. The third meeting of the Conference of the Parties may consider, inter alia, the following items in 1996:

6.1 General measures for conservation and sustainable use

6.1.1 Implementation of Articles 6 and 8.

6.2 Identification, monitoring and assessment

6.2.1 To consider options for implementing Article 7; 6.2.2 Appraisal of the SBSTTA review of assessment of biological diversity for the implementation of Article 25(2)(a) and advice on methodologies for future assessments.

6.3 Conservation and sustainable use of agricultural biological diversity

6.3.1 To consider agricultural biological diversity within the context of the Convention's three objectives and its provisions; 6.3.2 To consider a report on progress under the FAO Global System for the Conservation and Utilization of Plant Genetic Resources for Food and Agriculture.

6.4 Consideration of the future programme of work for terrestrial biological diversity in the light of the outcome of deliberations of the third session of the Commission on Sustainable Development in 1995

6.5 Knowledge, innovations and practices of indigenous and local communities

6.5.1 Implementation of Article 8(j).

6.6 Access to genetic resources

6.6.1 To consider the compilation of views of Parties on possible options for developing national legislative, administrative or policy measures, as appropriate, to implement Article 15.

6.7 Issues related to technology

6.7.1 To consider ways to promote and facilitate access to and transfer and development of technology, as envisaged by Articles 16 and 18 of the Convention.

#### 6.8 Incentive measures

6.8.1 To consider the compilation of information and experiences shared on the implementation of Article 11.

#### 6.9 Special session of the General Assembly to review implementation of Agenda 21

6.9.1 To provide a report from the perspective of the Convention's three objectives.

#### 6.10 Issues related to biosafety

6.10.1 To consider the first report of the ad hoc working group on biosafety.

7. In 1997, the fourth meeting of the Conference of the Parties may consider, inter alia, the following items:

#### 7.1 Review of medium-term programme of work (1995-1997)

7.1.1 To review the operations of the Conference of the Parties and subsidiary organs; 7.1.2 To undertake an overall review and consider a longer-term programme of work.

#### 7.2 Models and mechanisms for linkages between in-situ and ex-situ conservation

7.2.1 To generate options of models and linkage.

#### 7.3 Measures for implementing the Convention

7.3.1 To provide information and share experiences on the implementation of Article 13; 7.3.2 To provide information and share experiences on the implementation of Article 14; 7.3.3 Consideration of biodiversity under threat.

#### 7.4 Consideration of matters related to benefit-sharing

7.4.1 To consider measures to promote and advance the distribution of benefits from biotechnology in accordance with Article 19; 7.4.2 To be considered in the light of the outcome of item 6.7.1 above.

#### 7.5 Technical and Scientific Cooperation

#### 7.6 Terrestrial biological diversity

To assess the status and trends of the biodiversity of inland water ecosystems and identify options for conservation and sustainable use.

**Decision II/19 – LOCATION OF THE SECRETARIAT**  
(paras. 1 and 3-6 retired)

The Conference of the Parties,

1. Expresses its sincere gratitude to the Governments of Canada, Kenya, Spain and Switzerland for their generous offers to host the permanent Secretariat of the Convention;
3. Requests the Executive Secretary without delay to discuss and agree with the Government of Canada the practical arrangements for the transfer and hosting of the Secretariat of the Convention in Montreal;
4. Stresses that such a transfer should, to the maximum extent possible, minimize the negative impact on the substantive preparation by the Secretariat of the meetings to be convened in 1996 under the auspices of the Convention, and other related activities;
5. Requests the Executive Director of the United Nations Environment Programme to negotiate and finalize the headquarters agreement with the Government of Canada;
6. Further requests the Executive Secretary to report to its third meeting on the implementation of this decision.

**Decision II/20 – FINANCING OF AND BUDGET FOR THE  
CONVENTION**  
(paras. 1-10 retired)

The Conference of the Parties,

The Conference of the Parties,

1. Decides that the Trust Fund shall be extended for a period of one year, beginning 1 January 1997 and ending on 31 December 1997;
2. Adopts the budget for 1996, which is attached as annex I to this decision;
3. Urges all the Parties to pay promptly their contributions to the Trust Fund, based on the scale set forth in Appendix II to the budget (annex I);
4. Requests the Parties and States not Parties to the Convention, as well as governmental, intergovernmental and non-governmental organizations and other sources, to contribute to the Trust Fund;
5. Directs the Executive Secretary to prepare a report for the Conference of the Parties on the amount of contributions received under the voluntary budget and on ways in which that income has been spent;
6. Takes note that the indicative budget for 1997, also attached as annex I to the present decision, is based on Genevacostings;

7. Requests the Executive Secretary in presenting a draft 1997 budget for consideration by the third meeting of the Conference of the Parties, to also provide the indicative budget for 1997, attached as annex I to this decision, revised so as to be based on Montreal costings;

8. Directs the Executive Secretary to prepare an indicative budget for 1998;

9. Directs the Executive Secretary to consider carefully all offers of support from other organizations and to cooperate with them with a view to making the most effective use of the competencies and resources;

10. Adopts for 1996 the scale of contributions contained in the Appendix II to the budget (annex I), based on the United Nations scale of assessments for the apportionment of the expenses of the United Nations, adjusted to provide that no one contribution shall exceed 25 per cent of the total and that no contribution from a least developed country Party shall exceed 0.01 per cent of the total;

## **Decision II/21 – VENUE AND DATE OF THE THIRD MEETING OF THE CONFERENCE OF THE PARTIES** (retired)

The Conference of the Parties,

The Conference of the Parties,

1. Welcomes the kind offer of the Government of Argentina to host the third meeting of the Conference of the Parties ;

2. Decides that the third meeting of the Conference of the Parties will take place in Buenos Aires , Argentina, from 4 to 15 November 1996, including the Ministerial-level segment on 13 and 14 November 1996;

3. Decides also that Argentina will be an ex officio member of the Bureau of the second meeting of the Conference of the Parties.

## **Decision II/22 – CONVENING OF REGIONAL AND SUBREGIONAL MEETINGS FOR PARTIES TO THE CONVENTION** (retired)

The Conference of the Parties,

Appreciating the assistance of the Secretariat of the Convention on Biological Diversity in convening regional and subregional meetings for the Parties to the Convention, especially developing country Parties, in preparation for the second meeting of the Conference of the Parties,

Having benefited from such regional meetings by adopting decisions on the second meeting of the Conference of the Parties' agenda items,

1. Requests the Secretariat of the Convention on Biological Diversity to convene regional and subregional meetings, especially for developing country Parties, to prepare for the third meeting of the Conference of the Parties;
2. Urges the Secretariat of the Convention to seek voluntary contributions for such meetings and to facilitate the participation of developing country Parties and, in particular, the least developed countries.

**Decision II/23 – TRIBUTE TO THE GOVERNMENT AND PEOPLE  
OF THE REPUBLIC OF INDONESIA**  
(retired)

The Conference of the Parties,

Having met in Jakarta from 6 to 17 November 1995, at the gracious invitation of the Government of the Republic of Indonesia,

Deeply appreciative of the special courtesy and the warm hospitality extended by the Government and people of Indonesia to the Ministers, members of the delegations, observers and members of the Secretariat attending the meeting;

Expresses its sincere gratitude to the Government of the Republic of Indonesia and to its people for the cordial welcome which they accorded to the Conference of the Parties and to those associated with its work and for their contribution to the success of the second meeting of the Conference of the Parties to the Convention on Biological Diversity.